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Attorneys for Defendant
KEY INSURANCE COMPANY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JAZMIN PORRAS, an individual

Plaintiff,

vs.

KEY INSURANCE COMPANY, a foreign
corporation; DOE INDIVIDUALS I-X, inclusive;
and ROE CORPORATIONS I-X, inclusive,

Defendants.

CASE NO.:

NOTICE OF REMOVAL

COMES NOW, Defendant, KEY INSURANCE COMPANY (“KEY”), and
hereby files this Notice of Removal of the above-described action to the United States District
Court for the District of the State of Nevada, from the District Court of Clark County, where the
action is now pending as provided by Title 28, U.S. Code, Chapter 1441 and states:

1. KEY is the only Defendant in the above-entitled action.
2. The above-entitled action was commenced in the District Court of Clark County,
State of Nevada and is now pending in that court. Process was served on Defendant, KEY, on
April 14, 2022. A copy of the Plaintiff’s Complaint setting forth the claim for relief upon which
the action is based was first received by KEY on or about April 14, 2022. Plaintiff granted an
extension until May 6, 2022 to Defendant to file Answer.
3. The action is a civil action for claims for damages resulting from an auto accident
that occurred on or about May 12, 2019.

1 4. You have also agreed that you are waiving any untimeliness argument should we
2 decide to remove the case to Federal Court. You are reserving all other arguments for
3 potential motions to remand should you believe that removal is improper.

4 5. Plaintiff's Complaint alleges Causes of Action for Breach of Contract,
5 Contractual Breach of the Implied Covenant of Good Faith and Fair Dealing, Tortious Breach of
6 the Implied Covenant of Good Faith and Fair Dealing, and Violations of Nevada's Unfair Claim
7 Practices Act. Plaintiff is seeking general damages in an amount in excess of \$75,000.00.

8 6. The United States District Court for the District of Nevada has jurisdiction by
9 reason of diversity of citizenship of the parties. Plaintiff, JAZMIN PORRAS, has represented he
10 is a resident of Nevada. KEY is now and at the time the state action was commenced
11 incorporated and based in the State of Kansas and KEY is licensed to do business in Nevada.
12 No change of citizenship of parties has occurred since the commencement of the action. This
13 Answering Defendant is not incorporated in the state where the action was brought.

14 7. A copy of all process, pleadings, and orders served upon Defendant is filed with
15 this notice as Exhibit "A" pursuant to 28 U.S.C. § 1446(a).

16 8. Defendant will give written notice of the filing of this notice as required by 28
17 U.S.C. § 1446(d).

18 9. A copy of this notice will be filed with the clerk of the District Court for Clark
19 County as required by 28 U.S.C. § 1446(d).

20 10. WHEREFORE, Defendant KEY hereby requests that this action proceed in this
21 Court as an action properly removed to it.

22 Dated this 6th of May, 2022.

23 PYATT SILVESTRI

24 _____
25 /s/ James P. C. Silvestri
26 JAMES P. C. SILVESTRI, ESQ.
27 Nevada Bar No. 3603
28 701 Bridger Avenue, Ste. 600
 Las Vegas, NV 89101
 Attorneys for Defendant,
 KEY INSURANCE COMPANY

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of PYATT SILVESTRI and that, on the 6th day of May, 2022, I caused to be served via the Court's CM/ECF service system and via U.S. Mail, a true and correct copy of the above and foregoing **NOTICE OF REMOVAL** to the following:

Tom W. Stewart, Esq.
THE POWELL LAW FIRM
8918 Spanish Ridge Avenue, Suite 100
Las Vegas, NV 89148
tom@tplf.com
Attorney for Plaintiff

/s/ Barbara Abbott
An employee of PYATT SILVESTRI